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PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. MBHB03-332-B (400/126))

IN THE APPLICATION OF:

McSwiggen, et al.

Serial No. 10/652,791

Filed: August 29, 2003

Title RNA Interference Mediated Inhibition Of
Platelet-Derived Endothelial Cell Growth
Factor (ECGF1) Gene Expression Using
Short Interfering Nucleic Acid (siNA)

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Examiner: To Be Assigned

Group Art Unit: 1635

Confirmation No.: 3409

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. In regard to the above identified application,
We are transmitting herewith the attached:
 - a) 2nd Supplemental IDS (with 5 cited references);
 - b) PTO Form 1449;
 - c) Return postcard
2. With respect to fees:
 - a) It is believed no fee is due at this time.
3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 13, 2004.

Date: December 13, 2004

By:

Lisa M.W. Hillman
Registration No. 43,673



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UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. MBHB03-332-B (400/126))

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Title RNA Interference Mediated Inhibition)	Confirmation No.: 3409
Of Platelet-Derived Endothelial Cell)	
Growth Factor (ECGF1) Gene)	
Expression Using Short Interfering)	
Nucleic Acid (siNA))	

2nd SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure provided by 37 C.F.R. §1.56 and §§1.97-1.99, the applicants wish to make the following references of record in the above-identified application. Applicants respectfully submit the International search report (dated November 16, 2004) and the cited references issued in the corresponding International Patent application (document numbers marked with "*" are not enclosed). Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

In accordance with Rule 37 CFR §1.98(d), those references marked with an "*" have been previously cited and submitted to the Patent and Trademark Office and additional references are enclosed herein.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §§102 or 103.

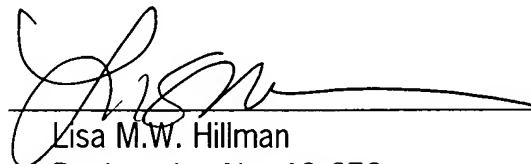
Applicants do not believe any fee is due with this submission. If this belief is in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. §1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Date: December 13, 2004

By:


Lisa M.W. Hillman
Registration No. 43,673

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

MBHB03-332-B
(400/126)

Serial No.

10/652,791

2ND SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)



Applicant:

McSwiggen et al.

Filing Date:

August 29, 2003

Group:

1635

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	*	WO 01/75164	10/11/01	WO (Tuschl et al.)				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	1.	International Search Report from PCT/US2004/011848 mailed November 16, 2004
	2.	Tuschl et al., "Small interfering RNAs: a revolutionary tool for the analysis of gene function and gene therapy", <i>Molecular Interventions</i> V. 2:158-165 (2002)
	3.	Caplen Natasha et al., "Specific inhibition of gene expression by small double-stranded RNAs in invertebrate and vertebrate systems", <i>PNAS</i> V.98, 17:9742-9747 (2001)
	*	Miyagishi M. et al., "U6 Promoter-driven siRNAs with four uridine 3' overhangs efficiently suppress targeted gene expression in mammalian cells", <i>Nature Biotechnology</i> , V.19, 5:497-500 (2002)
	4.	Brummelkamp et al., "A system for stable expression of short interfering RNAs in mammalian cells", <i>Science</i> V.296, 5567:550-553 (2002)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449 (Rev. 2-32) U.S. Department of Commerce Patent and Trademark Office 2ND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Atty. Docket No. MBHB03-332-B (400/126)	Serial No. 10/652,791
	Applicant: McSwiggen et al.	
	Filing Date: August 29, 2003	Group: 1635

	5.	Leirdal M. et al., "Gene silencing in mammalian cells by preformed small RNA duplexes", Biochemical and Biophysical Research Communications, V.295: 744-748 (2002)
	*	Elbashir et al., "Duplexes of 21-nucleotide RNAs mediate RNA interference in cultured mammalian cells", Nature, V. 411, 6836: 494-498 (2001)
	6.	Bohula Erin et al., "The Efficacy of small interfering RNAs targeted to the type 1 insulin-like growth factor receptor (IGF1R) is influenced by secondary structure in the IGF1R transcript", Journal of Biological Chemistry, V. 278, 18:15991-15997 (2003)

EXAMINER	DATE CONSIDERED
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